

REMARKS

Upon entry of this Amendment, claims 7 - 16 will be pending.

The Applicant appreciates the Examiner's continued attention and consideration.

The previous Amendment submitted in response to the Office Action of 7 October 2008 is deemed to be non-responsive because "it does not work from what the Patent Office has on file". Based upon an earlier telephone interview, Applicant concludes that the preliminary amendment submitted with the original application papers was somehow misdirected. At the suggestion of the Examiner, the Applicant submits this Amendment which has been prepared under the assumption that the preliminary amendment is a nullity.

The Applicant regrets any inconvenience, and to facilitate continued examination, provides extensive amendments to the specification to reconstruct it into proper U.S. form. No new matter has been entered. Furthermore, originally translated claims 1 – 6 have been canceled. Additionally, new claims 7 -16 are introduced herein. Note that new claims 7 – 16 introduced herein correspond with prior amended claims 1 – 10 contained in the non-entered Amendment.

A clean copy of the amended specification, and drawing (1 sheet) is appended hereto, In view of the forgoing remarks, withdrawal of the rejection is requested.

Claims 1 – 4 were previously rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 1 – 4 have been canceled.

Claims 5 and 6 were previously objected to under 37 C.F.R. § 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. Claims 5 and 6 were not been considered on their merits.

Claims 5 and 6 have been canceled.

Claims 1 and 2, as best understood by the Examiner, were previously rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants admitted prior art in view of **Banta et al.** (U.S. 2,852,843).

Independent claim 1 has been canceled. New independent claim 7 is written to more clearly distinguish over the art of record, and specifies:

A pyromechanical securing element for mechanical connection of two components, said securing element comprising:

a generally cylindrical covering, including an expandable head part;

a pyrotechnic propellant charge disposed within said head part, which borders on an adapter; and

means disposed on a rear part of the covering distal said head part for registering with concentric through passages in adjacent first and second components to be interconnected, wherein the covering, at its head part, has frangible break notches running in longitudinal direction operable to tear open the covering in the head region upon ignition of the propellant charge to bend separated head part portions around the adapter, as a result of which the first component is firmly connected to the second component, wherein

- *the adapter defines a groove extending about the outer periphery thereof,*
- *the covering defines, a radially projecting collar is arranged on the outer surface of the covering,*
- *the groove in the adapter is aligned with the collar of the covering, and*
- *at least one part of the collar is pressed into the groove to anchor the covering with the adapter.*

The Applicant respectfully submits that **Banta et al.** does not constitute relevant prior art, and would not be obvious to combine with APA.

In view of the forgoing amendments and remarks, new independent claim 7 is deemed to be in allowable form.

Claims 3 and 4, as were previously best understood by the Examiner, were rejected under 35 U.S.C. 103(a) as being unpatentable over the modified Applicants admitted prior art as applied to claims 1 and 2 above, and further in view of **Coppock et al.** (U.S. 3,152,392).

The Applicant respectfully submits that **Coppack et al.** does not constitute relevant prior art, and would not be obvious to combine with APA.

In view of the forgoing amendments and remarks, dependent claims 8 -12 are deemed to be in allowable form.

Independent claim 13 and dependent claims 14 - 16, have not been considered in this case.. However, they are deemed to be in allowable form for the reasons set forth herein above.

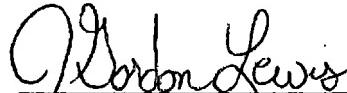
Conclusion

Applicant believes, in view of the amendments and remarks herein, that all grounds of rejection of the claims set forth in the previous Office Action have been addressed and overcome, and that all claims in their present form are in condition for allowance.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the telephone number provided.

The Commissioner is hereby authorized to charge any fees associated with this communication and/or credit any overpayments to Deposit Account No. 50-0831.

Respectfully submitted,


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